

Remarks/Arguments

Claims 1, 3-5, 7-10, 12-16, and 18-20 are presented for reconsideration and further examination in view of the forgoing amendment and following remarks. Claim 6 was previously cancelled.

In the outstanding Office Action, the Examiner: objected to the specification; objected to all of the claims pending in the application; allowed claims 1 – 3 and 7 – 9; rejected claims 4, 5, and 10 – 20 under 35 U.S.C. 112 second paragraph as being indefinite, but indicated that claims 4, 5, and 10 – 15 would be allowable if rewritten to overcome the rejection; and, further rejected claims 16 – 20 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,154,365 to Pollard II, et al. (hereinafter referred to as “Pollard”).

By this Response and Amendment: Claims 2, 11, and 17 are canceled without prejudice or disclaimer to the subject matter contained therein; Claims 4, 5, 8, 9, 13 – 15, and 18 – 20 are amended; and, the rejections under 35 U.S.C. 112, second paragraph, and 35 U.S.C. 102(b) are traversed.

It is respectfully submitted that the above amendments do not introduce any new matter to this application within the meaning of 35 U.S.C. 132.

OBJECTION TO THE SPECIFICATION

The Examiner objected to the specification for being replete with terms which are not clear, concise, and exact, and requested that the specification be revised carefully in order to comply with 35 U.S.C. 112, first paragraph.

RESPONSE

By this response and amendment, applicants have carefully reviewed the entire specification, and have amended numerous paragraphs of the specification to correct idiomatic and grammatical errors. Applicants submit that the specification now complies with 35 U.S.C. 112, first paragraph. Withdrawal of the objection is respectfully requested.

OBJECTION TO THE CLAIMS

The Examiner objected to all of the claims pending in the application, for reciting the unclear limitation “conductive.”

RESPONSE

By this Response and Amendment, claims 4, 7 – 10, 13, 16, 19, and 20 have been amended to replace the term “conductive” with the term “thermal.” Withdrawal of the objection is respectfully requested.

Applicant submits that the term “conductive” can not be found, or is not used in the manner objected to by the Examiner, in pending claims 1, 3, 5, 12, 14, 15, or 18. The objection to claims 2, 11, and 17 has been obviated by their cancellation.

ALLOWED CLAIMS

Applicant thanks the Examiner for the allowance of claims 1 – 3 and 7 – 9.

REJECTION UNDER 35 U.S.C. 112, SECOND PARAGRAPH

The Examiner rejected claims 4, 5, and 10 – 20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner noted that claims 4, 5, and 10 – 15 would be allowable if rewritten to overcome the above rejection.

RESPONSE

Applicants submit that the above amendments, including *inter alia* correction of the terms “protruding” and “the backside” in Claim 4 and the term “said backside” in Claim 5, overcome the rejections to the claims under 35 U.S.C. 112, second paragraph.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejections of claims 4, 5, 10, 12 – 16, and 18 – 20 under 35 U.S.C. 112, second paragraph. Applicants submit that the rejections of claims 11 and 17 have been obviated by their cancellation.

REJECTION UNDER 35 U.S.C. 102(b)

The Examiner rejected claims 16 – 20 under 35 U.S.C. 102(b) as being anticipated by Pollard.

RESPONSE

For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art

reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131.

By this Response and Amendment, Applicant respectfully traverses the Examiner's rejection since the cited prior art does not disclose, teach or suggest all of the features of amended independent claim 16, or of claims 18 – 20 dependent therefrom. The rejection of claim 17 has been obviated by its cancellation.

Independent Claim 16 recites, *inter alia*, a “first heat sink assembly having...a thermal block, ...”

The Examiner alleges that Pollard discloses a heat sink device of a package device comprising “a first heat sink assembly with a thermal block (any of the sticking-out portions of structure (47),...”. Applicants traverse this statement, and submit that Pollard does not disclose, teach, or suggest a “sticking-out” structure under the surface of structure (47) in the disclosure or in the drawings. Thus, the Examiner cannot presume that the structure (47) has a “sticking-out” structure according to the disclosure of Pollard.

In addition, while Pollard discloses that a “spring fixture has two holes, and the screw may be inserted through each holes” (col. 2, lines 48, and lines 54-56), applicants submit that amended Claim 16 recites a “second heat sink assembly having a protruding structure in the center of said second heat sink assembly and at least two openings on the two sides of said second heat sink assembly.” Applicants submit that the “at least two holes” do not “pass through” the second heat sink assembly in amended Claim 16. For at least this additional reason, applicants submit that Pollard does not anticipate the present invention.

Accordingly, Applicants submit that Pollard does not render the presently claimed invention obvious, and that independent claim 16, and claims 18 – 20 dependent thereon, are allowable over the prior art for at least the reasons given above.

CONCLUSION

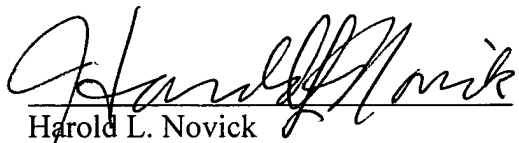
In light of the foregoing, Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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